

**REMARKS**

Claims 1-3, 5-17, 40-60, 62-65, 67-81 and 83-86 are pending in this application. By this Amendment, claim 72 is amended. No new matter is added.

**I. Allowable Subject Matter**

Applicants appreciate the indication that claims 1-3, 5-17, 40-60, 62-65, 67-71, 75-76, 80-81 and 83-86 are allowed.

**II. Rejections Under 35 U.S.C. §102**

The Office Action rejects claims 72 and 77-79 under 35 U.S.C. §102(e) over U.S. Patent No. 6,753,562 (Hsu). This rejection is respectfully traversed.

Claim 72 recites, in part, that "the ferromagnetic semiconductors in the source and the drain are directly contacted with the channel." Hsu does not teach or suggest at least this feature.

Fig. 3a of Hsu shows ferromagnetic semiconductor films 106 and 107 are connected to a channel 100 through a source region 102 and a drain region 103, respectively. The source region 102 and the drain region 103 are non-ferromagnetic semiconductor layers. Therefore, Hsu fails to teach or suggest that "the ferromagnetic semiconductors in the source and the drain are directly contacted with the channel," as recited in claim 72.

For at least these reasons, withdrawal of the rejection of claim 72, as well as claims 77-79 depending therefrom is respectfully requested.

**III. Rejections Under 35 U.S.C. §103**

The Office Action rejects claim 73 over Hsu in view of U.S. Patent Application Publication No. 2001/0031547 (Ohno), and claim 74 under 35 U.S.C. §103(a) over Hsu in view of U.S. Patent No. 5,654,566 (Johnson). These rejections are respectfully traversed.

As discussed above, Hsu fails to teach or suggest the limitations of independent claim 72, on which claims 73-74 depend. Furthermore, Ohno and Johnson fail to remedy the

deficiencies of Hsu, as both Ohno and Johnson do not teach or suggest that " the ferromagnetic semiconductors in the source and the drain are directly contacted with the channel."

For at least these reasons, withdrawal of the rejection of claims 73-74 is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Ariana E. Guss  
Registration No. 58,997

JAO:AEG/jnm

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**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

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